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|---|-------------|----------------------|---------------------|------------------|
| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
| 09/851,242  | 05/08/2001  | Charles J. Runkle    | 2000.16             | 4003             |
| 29494   | 7590        | 09/12/2006           | EXAMINER            |                  |
| HAMMER & HANF, PC<br>3125 SPRINGBANK LANE<br>SUITE G<br>CHARLOTTE, NC 28226 |             |                      | STAICOVICI, STEFAN  |                  |
|   |             |                      | ART UNIT            | PAPER NUMBER     |
|   |             |                      | 1732                |                  |

DATE MAILED: 09/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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|---------------------------------|-------------|---|---------------------|

EXAMINER

ART UNIT

PAPER

20060908

DATE MAILED:

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**Commissioner for Patents**

1. The instant application has been returned to the Examiner by the Board of Patent Appeals and Interferences (the "Board"). From the record, it appears that the Board is concerned that the Information Disclosure Statement (IDS) filed June 8, 2005 has not been considered by the Examiner. However, although Applicants filed a letter on June 8, 2005 indicating that an IDS was being filed, Form PTP/SB/08a or an equivalent was not filed. To date, neither Form PTO/SB/08a nor an equivalent have been filed to correspond to the IDS filed June 8, 2005. Therefore, the IDS filed June 8, 2005 fails to comply with 37 CFR 1.98(a)(1), because it does not include a list of all patents, publications, applications, or other information submitted for consideration by the Office. As such, the IDS filed June 8, 2005 has been placed in the application file, but the information referred to therein has not been considered.

2. Applicants are given a ONE MONTH TIME LIMIT from the date of this letter in which to present a proper IDS. NO EXTENSIONS OF TIME UNDER 37 CFR 1.136(a) WILL BE GRANTED.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stefan Staicovici, Ph.D. whose telephone number is (571) 272-1208. The examiner can normally be reached on Monday-Friday 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christina Johnson, can be reached on (571) 272-1176. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Stefan Staicovici, PhD

*Stefan Staicovici*  
Primary Examiner 9/8/06

AU 1732  
September 8, 2006